Agenda
Code Enforcement Board Meeting
Tuesday, February 11, 2020
City Hall Council Chambers | 625 Swift Boulevard

Board Members: Chair Levy, Vice Chair White, and Board Members Ball, Guyette, and Victorine

Liaisons: Council Liaison Alvarez
Staff Liaison Sergeant Harrison and Chief of Police John W. Bruce

Regular Meeting - 7:00 p.m. (City Hall Council Chambers)

Call to Order/Attendance:

Approval of Agenda: (Approved by Motion)

Approval of Minutes: (Approved by Motion)

Compliance Hearings/Administration of Oaths:

1. **20191836 Verl and Dianne Potter**
   Location of Violation: 350 Wright Ave
   Mailing Address: Same
   Description of Violation: RMC 10.04.040 (F) Over 2 cubic yards of debris
   Notice of Civil Violation Issued: January 8, 2020
   - Code Enforcement Officer Jamie Williams

2. **20191758 Vincent Dellaripa**
   Location of Violation: 402 Winslow Ave
   Mailing Address: same
   Description of Violation: RMC 10.04.040 (G) vehicle parts, ice chest, refrigerator, furniture, etc., RMC 11.33.020 Storage and parking of boats, RVs, trailers, RMC 12.16.010 Keeping sidewalks and rights-of-way clean and maintained
   Notice of Civil Violation Issued: January 28, 2020
   - Code Enforcement Officer Jamie Williams

Execution of Orders:

Continued Cases/Old Business:

New Business/Liaison Comments:

Adjournment

The next Code Enforcement Board Meeting is March 10, 2020

Richland City Hall is ADA accessible with special parking and access available at the entrance facing George Washington Way. Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the Code Enforcement Board Meeting by calling the City Clerk's Office at 942-7388.

Richland City Hall is ADA accessible. Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the meeting by calling the City Clerk's Office at 942-7389.

CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 2/11/2020

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

20191836 Verl and Dianne Potter

Location of Violation: 350 Wright Ave

Mailing Address: Same

Description of Violation: RMC 10.04.040 (F) Over 2 cubic yards of debris

Notice of Civil Violation Issued: January 8, 2020

Department:

Police Services

Recommended Motion:

Summary:

Attachments:

1. 350 Wright packet

Richland Police Department - Nuisance Code Enforcement
871 George Washington Way, Richland, WA 99352 509-942-7739

NOTICE OF CIVIL VIOLATION

January 8, 2020

Verl and Dianne Potter
350 Wright Ave
Richland, WA 99352

Case Number: 20191836

An inspection on January 7, 2020 revealed violation(s) of the Richland Municipal Code (RMC) on property you own or control. You have received this notice because your property is out of compliance with the Richland Municipal Code, and you must take action to bring your property into compliance as identified herein.

Location of Violation(s):
350 Wright Ave, Richland WA 99352

Description of Violation(s):
RMC 10.04.040 (F) Over 2 cubic yards of debris: Public Nuisance Affecting Peace and Safety; erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure, or premises, in or upon any street, alley, sidewalk, park, parkway, or other public or private place in the City, the total of which materials exceeds 2 cubic yards in volume. This section shall include keeping or storing the equivalent amount of material in a trailer, pickup bed, or other portable container to include vehicles

Required Corrective Action(s):
Remove the over 2 cubic yards of debris including the boxes, crates, trash, etc in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by February 9, 2020 no later than 5:00 p.m.

You received notice dated December 13, 2019 requesting voluntary correction of the code violation(s). A copy of that notice is attached. To date, you have failed to comply with the Richland Municipal Code, which resulted in the issuance of this notice of civil violation.

You are directed to take the action described above to correct the violation(s) on the property. Failure to correct the violation(s) by the deadline in this notice may result in City abatement per RMC 10.02.070.

HEARING NOTICE: Per RMC 10.02.060, an appeal hearing is automatically scheduled for you to appear before the Richland Code Enforcement Board on this matter. The hearing regarding your code violation(s) will be held in **City Council Chambers at Richland City Hall, 625 Swift Blvd., Richland, WA** on the following date and time:

Date: February 11, 2020 Time: 7:00 PM

****Please make the necessary arrangements if you need a language interpreter****

Compliance BEFORE the Hearing: If you come into compliance by correcting the violation(s) prior to the hearing, as inspected and verified by a Richland Code Enforcement Officer, the City will inform the Board at the hearing that the property is in compliance. Per RMC 10.02.050(E), a minimum penalty of $50.00 shall be assessed for each offense requiring a notice of civil violation, regardless of whether compliance is met before the hearing.

Code Enforcement Board Hearing: If you take no action prior to the hearing, or if you believe you are not in violation of the RMC and wish to contest this notice, an impartial hearing before the five-member Code Enforcement Board will be held. At the hearing, the City will present evidence of the violation(s). You may testify on your own behalf and introduce your own evidence, if any. At the conclusion of the hearing, the Board will decide if the evidence supports finding you in violation of the Richland Municipal Code. The City bears the burden of proof, which is a preponderance of the evidence.

If the Board determines that one or more violations has occurred, you will be assessed monetary penalties pursuant to RMC 10.02.050(E) and ordered to abate the violation(s). Penalties range from a minimum of $50 to a maximum of $500 per day per violation, up to a maximum penalty of $5,000 for all violations. You may also be ordered to pay the costs of abatement if the City is forced to correct the violation(s). The third violation of the same regulation at the same location within two (2) years is a criminal offense. *See* Chapter 10.02 RMC for more details.

FAILURE TO APPEAR: Should you fail to appear, the Code Enforcement Board will enter an order finding that the violation occurred and assess monetary penalties, which may include a continuing monthly monetary penalty until the property is brought into compliance. The City will carry out the Code Enforcement Board's order and recover all related expenses, plus the monetary penalties assessed and the administrative cost of the hearing. A copy of the Board's order and an invoice for payment will be sent to you pursuant to RMC 10.02.060(E).

Issued on January 8, 2020 by the Code Enforcement Officer signing below.

Signature: _____

Printed Name: Jamie Williams, Code Enforcement
Phone: (509) 942-7577

Attachment – Voluntary Correction Notice

Fraudulent use or misuse of this form may result in criminal charges for Criminal Impersonation in the First Degree under RCW 9A.60.040. Criminal Impersonation in the first degree is a Class C Felony.

Richland Police Department - Nuisance Code Enforcement
871 George Washington Way, Richland, WA 99352 509-942-7739

CORRECTION NOTICE

December 13, 2019
Location: 350 Wright Ave, Richland WA 99352
Report: 20191836

You have received this notice because property owned or controlled by you is currently out of compliance with the Richland Municipal Code, and you must take action to bring your property into compliance as identified herein.

Description of Violation(s):

RMC 10.06.030 Storage of inoperable vehicle: It is unlawful to place or keep an inoperable motorized vehicle or junk vehicle upon any public or private property within the City of Richland unless the vehicle is completely enclosed within a building or behind a 100% sight-obscuring fence in a manner where it is not visible from the street or other public or private property INOPERABLE VEHICLE DEFINED AS a vehicle that has been in a stationary position for more than 14 calendar days, is apparently inoperable or requires repair in order to be operable, or is unable to move 20 feet under own power. One inoperable motorized vehicle may be allowed on residential property, outside of an enclosed building, if it is stored in the rear yard of the property and screened from the neighboring properties and any street by a 100 percent sight-obstructing fence.

RMC 10.06.060 Expired over 45 days: The following is adopted by the city of Richland as set forth in RCW 46.55.113(2)(i), Removal by a Police Officer: (2) In addition, a police officer may take custody of a vehicle, at his or her discretion, and provide for its prompt removal to a place of safety under any of the following circumstances; (i) When a vehicle with an expired registration of more than forty-five days is parked on a public street.

RMC 10.04.040 (F) Over 2 cubic yards of debris: Public Nuisance Affecting Peace and Safety; erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure, or premises, in or upon any street, alley, sidewalk, park, parkway, or other public or private place in the City, the total of which materials exceeds 2 cubic yards in volume. This section shall include keeping or storing the equivalent amount of material in a trailer, pickup bed, or other portable container to include vehicles.

Required Corrective Action(s):

Please renew tabs, make the necessary repairs to and demonstrate the white Ford Crown Victoria with WA plate 597XNR is operable under it's own power, or properly store in accordance with the Richland Municipal Code.

Please remove the over two cubic yards of debris including the boxes, garbage, trashbags, etc in accordance with the Richland Municipal Code.

The corrective action(s) identified in this Correction Notice must be completed by January 5, 2020 no later than 5:00 p.m.

Failure to remedy the violation(s) identified in this Correction Notice will result in the City issuing a Notice of Civil Violation and scheduling a hearing before the Richland Code Enforcement Board. At the hearing, the Code Enforcement Board will hear the evidence presented and determine whether one or more violations has occurred.

If you are found by the Code Enforcement Board to have committed the violation(s) cited, you will be assessed monetary penalties pursuant to RMC 10.02.050(E) and ordered to abate the violation(s). Penalties range from a minimum of $50 to a maximum of $500 per day per violation, up to a maximum penalty of $5,000 for all violations. You may also be ordered to pay the costs of abatement if the City is forced to correct the violation(s). The third violation of the same regulation at the same location within two (2) years is a criminal offense. *See* Chapter 10.02 RMC for more details.

To avoid receiving a Notice of Civil Violation, please take the corrective action identified in this Correction Notice by the date specified. If you have questions or need more information, please contact the Code Enforcement Officer listed below.

Issued on December 13, 2019 by the Code Enforcement Officer signing below.

Signature: _____
Printed Name: Jamie Williams, Code Enforcement
Phone: (509) 942-7577

Attachment – Process Letter

Fraudulent use or misuse of this form may result in criminal charges for Criminal Impersonation in the First Degree under RCW 9A.60.040. Criminal Impersonation in the first degree is a Class C Felony.

Richland Police Department - Nuisance Code Enforcement
871 George Washington Way, Richland, WA 99352 509-942-7739

Process Letter

To Whom it May Concern:

The City has become aware of possible violation(s) of the Richland Municipal Code occurring on property owned or controlled by you. We hope to work with you to correct the violation(s), and we will take reasonable steps to allow for voluntary compliance. Formal action will be taken only if the violation(s) are not corrected as identified in the Correction Notice.

With the exception of barking dog complaints, which are handled in Benton County District Court, the following process is followed for civil code violations in the City of Richland:

1. Initial Inspection: An initial on-site inspection is performed by the City when a complaint is received or when a violation is observed by Code Enforcement. No further action is taken by the City if there is no evidence from the on-site inspection indicating a violation has occurred.

2. Correction Notice Issued: The City will issue a Correction Notice if the initial on-site inspection revealed evidence that a violation has occurred. The notice will describe the violation(s) and the specific corrective action required to achieve compliance. The City will make available a community resources guide listing community organizations that may be available to assist.

3. Follow-Up Inspection: On the date following the deadline for compliance provided in the Correction Notice, the City will perform a follow-up on-site inspection to determine whether voluntary compliance has been met.

    a. If the follow-up inspection reveals that voluntary compliance has been met, the case will be closed and no further action will be required.

    b. If the follow-up inspection reveals that voluntary compliance has not been met, the City will issue a Notice of Civil Violation for the violation(s) and schedule a hearing before the Code Enforcement Board.

4. Notice of Civil Violation Issued: A Notice of Civil Violation is issued when voluntary compliance is not met by the deadline provided in the Correction Notice. The Notice of Civil Violation contains a hearing date before the Richland Code Enforcement Board, who will hear the evidence and determine whether to affirm or disaffirm the City's Notice of Civil Violation. If you receive a Notice of Civil Violation, you are required to appear before the Code Enforcement Board. Failure to appear will result in entry of a default order affirming the violation(s).

    a. A minimum penalty of $50.000 shall be assessed for each Notice of Civil Violation that is affirmed by the Code Enforcement Board, regardless of whether compliance has been met. The maximum penalty the Code Enforcement Board may impose is $500 per day per violation up to $5,000 for all violations.

    b. Note: In lieu of advancing your case to the Code Enforcement Board, you may be eligible to enter into a Voluntary Correction Agreement with the City. A Voluntary Correction Agreement is a binding contract between you and City whereby you agree

to correct the violation(s) within a specified timeframe (usually an extended timeframe) in exchange for granting consent to the City to abate the violation(s) and agreeing to a specific monetary penalty if you fail to correct the violation(s) yourself. Voluntary Correction Agreements will not be used for violations involving dangerous or hazardous conditions, or for repeat violations. Contact the Code Enforcement Officer responsible for your case to learn more about Voluntary Correction Agreements.

5. Code Enforcement Board Hearing: If your case advances to a hearing before the Richland Code Enforcement Board, you will be afforded an opportunity to present evidence and cross-examine the City's witnesses. At the conclusion of the hearing, the Board will determine whether the City has proven, by a preponderance of the evidence, that one or more violations of the Richland Municipal Code has occurred.

    a. If the Board finds that one or more violations exist, monetary penalties will be imposed and corrective action will be ordered.

    b. If the Board finds that insufficient evidence exists to affirm the violation(s), the case will be dismissed with no further action by you.

6. Assessment of Penalties. If the Board affirms the violation(s) and imposes monetary penalties, or if the terms of the Voluntary Correction Agreement are not met, the City will issue an invoice for payment. Failure to pay the penalties assessed may cause the City to pursue a number of collection actions, including but not limited to recording property liens, assigning the debt to a collection agency, or other legal action. Reimbursement for administrative costs may also be sought.

The City's objective is to work with you to achieve voluntary compliance. If you have questions about the code enforcement process, or if you need additional information, please contact the Code Enforcement Officer identified on your Correction Notice.

CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 2/11/2020

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

20191758 Vincent Dellaripa

Location of Violation: 402 Winslow Ave

Mailing Address: same

Description of Violation: RMC 10.04.040 (G) vehicle parts, ice chest, refrigerator, furniture, etc., RMC 11.33.020 Storage and parking of boats, RVs, trailers, RMC 12.16.010 Keeping sidewalks and rights-of-way clean and maintained

Notice of Civil Violation Issued: January 28, 2020

Department:

Police Services

Recommended Motion:

Summary:

Attachments:

1. 402 Winslow Ave packet

Richland Police Department - Nuisance Code Enforcement
871 George Washington Way, Richland, WA 99352 509-942-7739

NOTICE OF CIVIL VIOLATION

January 28, 2020

Vincent Dellaripa
402 Winslow Ave
Richland, WA 99352

Case Number: 20191758

An inspection on January 28, 2020 revealed violation(s) of the Richland Municipal Code (RMC) on property you own or control. You have received this notice because your property is out of compliance with the Richland Municipal Code, and you must take action to bring your property into compliance as identified herein.

Location of Violation(s):
402 Winslow Ave, Richland WA 99352

Description of Violation(s):
RMC 10.04.040(G) vehicle parts, ice chest, refrigerator, furniture, etc: Public Nuisance Affecting Peace and Safety; permitting to remain outside any dwelling, building or structure, any vehicle parts, ice chest, refrigerator, furniture, household appliances or other similar items, in any front, side, or rear yard of the property maintained by a "responsible person" and which items can be seen from a public sidewalk, street, or road unless obscured behind a sight-obscuring fence in a manner where it is not visible from public or private property at ground level.

RMC 11.33.020 Storage and parking of boats, RVs, trailers: No boat, camper (pickup), large vehicles, motor homes, recreational vehicles, snowmobiles or utility trailers may be stored on public property or in a residential district. Public property includes but is not limited to public parks, parking lots, streets, roads, highways or sidewalks. Storage of any vehicle or personal property is permitted on private property under the condition that such vehicle or personal property is set back ten (10) feet from any alley or roadway.

RMC 12.16.010 Keeping sidewalks and rights-of-way clean and maintained: It shall be the duty of every person or entity having charge or control of property in the city to maintain the planting strip or public right-of-way fronting or adjoining their property, including alleys. No person or entity having charge or control of any property in the city may allow a public sidewalk, planting strip, or public-right-of-way fronting or adjoining their property to fall into disrepair or become weed-infested, dangerous or noncompliant with the city nuisance code.

Required Corrective Action(s):
Properly store ALL household items and vehicle parts including, the reciliner, chairs, tires, car/motorcycle parts, indoor household furniture: including the household items and vehicle parts currently stored in the yards and driveways of 402 Winslow Ave, in the Right of Way on the Winslow Ave side of the property and in the Right of Way on the Snow Ave side of the property, the household items and vehicle parts stored in or on any of the trailers or vehicles parked in the Rights of Way, or on the property in accordance with Richland Municipal Code 10.04.040 (G) Household items and Vehicle parts and Richland Municipal Code 12.16.010 Keeping sidewalks and Rights of Way clean and maintained.
Properly store all trailers regulated by this code, including the yellow trailer with WA plate #99834AB, the dual axel flatbed trailer, the car transport trailers, the wooden trailer, the beige trailer with metal side

rails, the trailer with boat #ID6160T, and the wooden flatbed trailer stored in the opposite Right of Way at the Southwest corner of Winslow Ave and Snow Ave, so ANY and ALL trailers are properly stored on private property and set back 10 feet from the roadway in accordance with Richland Municipal Code 11.33.020 Storage and parking of boats, RVs, trailers, and Richland Municipal Code 12.16.010 Keeping sidewalks and Rights of Way clean and maintained .

The corrective action(s) identified in this notice must be completed by February 9, 2020 no later than 5:00 p.m.

You received notice dated January 10, 2020 requesting voluntary correction of the code violation(s). A copy of that notice is attached. To date, you have failed to comply with the Richland Municipal Code, which resulted in the issuance of this notice of civil violation.

You are directed to take the action described above to correct the violation(s) on the property. Failure to correct the violation(s) by the deadline in this notice may result in City abatement per RMC 10.02.070.

HEARING NOTICE: Per RMC 10.02.060, an appeal hearing is automatically scheduled for you to appear before the Richland Code Enforcement Board on this matter. The hearing regarding your code violation(s) will be held in **City Council Chambers at Richland City Hall, 625 Swift Blvd., Richland, WA** on the following date and time:

Date: February 11, 2020 Time: 7:00 PM

****Please make the necessary arrangements if you need a language interpreter****

Compliance BEFORE the Hearing: If you come into compliance by correcting the violation(s) prior to the hearing, as inspected and verified by a Richland Code Enforcement Officer, the City will inform the Board at the hearing that the property is in compliance. Per RMC 10.02.050(E), a minimum penalty of $50.00 shall be assessed for each offense requiring a notice of civil violation, regardless of whether compliance is met before the hearing.

Code Enforcement Board Hearing: If you take no action prior to the hearing, or if you believe you are not in violation of the RMC and wish to contest this notice, an impartial hearing before the five-member Code Enforcement Board will be held. At the hearing, the City will present evidence of the violation(s). You may testify on your own behalf and introduce your own evidence, if any. At the conclusion of the hearing, the Board will decide if the evidence supports finding you in violation of the Richland Municipal Code. The City bears the burden of proof, which is a preponderance of the evidence.

If the Board determines that one or more violations has occurred, you will be assessed monetary penalties pursuant to RMC 10.02.050(E) and ordered to abate the violation(s). Penalties range from a minimum of $50 to a maximum of $500 per day per violation, up to a maximum penalty of $5,000 for all violations. You may also be ordered to pay the costs of abatement if the City is forced to correct the violation(s). The third violation of the same regulation at the same location within two (2) years is a criminal offense. *See* Chapter 10.02 RMC for more details.

FAILURE TO APPEAR: Should you fail to appear, the Code Enforcement Board will enter an order finding that the violation occurred and assess monetary penalties, which may include a continuing monthly monetary penalty until the property is brought into compliance. The City will carry out the Code Enforcement Board's order and recover all related expenses, plus the monetary penalties assessed and the administrative cost of the hearing. A copy of the Board's order and an invoice for payment will be sent to you pursuant to RMC 10.02.060(E).

Issued on January 28, 2020 by the Code Enforcement Officer signing below.

Signature: _____
Printed Name: Jamie Williams, Code Enforcement
Phone: (509) 942-7577

Attachment – Voluntary Correction Notice

Fraudulent use or misuse of this form may result in criminal charges for Criminal Impersonation in the First Degree under RCW 9A.60.040. Criminal Impersonation in the first degree is a Class C Felony.

Richland Police Department - Nuisance Code Enforcement
871 George Washington Way, Richland, WA 99352 509-942-7739

CORRECTION NOTICE

January 10, 2020
Location: 402 Winslow Ave, Richland WA 99352
Report: 20191758

You have received this notice because property owned or controlled by you is currently out of compliance with the Richland Municipal Code, and you must take action to bring your property into compliance as identified herein.

Description of Violation(s):
RMC 10.04.040(G) vehicle parts, ice chest, refrigerator, furniture, etc: Public Nuisance Affecting Peace and Safety; permitting to remain outside any dwelling, building or structure, any vehicle parts, ice chest, refrigerator, furniture, household appliances or other similar items, in any front, side, or rear yard of the property maintained by a "responsible person" and which items can be seen from a public sidewalk, street, or road unless obscured behind a sight-obscuring fence in a manner where it is not visible from public or private property at ground level.

RMC 11.33.020 Storage and parking of boats, RVs, trailers: No boat, camper (pickup), large vehicles, motor homes, recreational vehicles, snowmobiles or utility trailers may be stored on public property or in a residential district. Public property includes but is not limited to public parks, parking lots, streets, roads, highways or sidewalks. Storage of any vehicle or personal property is permitted on private property under the condition that such vehicle or personal property is set back ten (10) feet from any alley or roadway.

RMC 12.16.010 Keeping sidewalks and rights-of-way clean and maintained: It shall be the duty of every person or entity having charge or control of property in the city to maintain the planting strip or public right-of-way fronting or adjoining their property, including alleys. No person or entity having charge or control of any property in the city may allow a public sidewalk, planting strip, or public-right-of-way fronting or adjoining their property to fall into disrepair or become weed-infested, dangerous or noncompliant with the city nuisance code.

Required Corrective Action(s):
***** FINAL NOTICE******* Please properly store ALL household items and vehicle parts including, the reciliner, chairs, tires, car/motorcycle parts, indoor household furniture: including the household items and vehicle parts currently stored in the yards and driveways of 402 Winslow Ave, in the Right of Way on the Winslow Ave side of the property and in the Right of Way on the Snow Ave side of the property, the household items and vehicle parts stored in or on any of the trailers or vehicles parked in the Rights of Way, or on the property in accordance with Richland Municipal Code 10.04.040 (G) Household items and Vehicle parts and Richland Municipal Code 12.16.010 Keeping sidewalks and Rights of Way clean and maintained.

Please properly store all trailers regulated by this code, including the yellow trailer with WA plate #99834AB, the dual axel flatbed trailer, the car transport trailers, the wooden trailer, the beige trailer with metal side rails, the trailer with boat #ID6160T, and the wooden flatbed trailer stored in the opposite Right of Way at the Southwest corner of Winslow Ave and Snow Ave, so ANY and ALL trailers are properly stored on private property and set back 10 feet from the roadway in accordance with Richland Municipal Code 11.33.020 Storage and parking of boats, RVs, trailers, and Richland Municipal Code 12.16.010 Keeping sidewalks and Rights of Way clean and

maintained .

The corrective action(s) identified in this Correction Notice must be completed by January 26, 2020 no later than 5:00 p.m.

Failure to remedy the violation(s) identified in this Correction Notice will result in the City issuing a Notice of Civil Violation and scheduling a hearing before the Richland Code Enforcement Board. At the hearing, the Code Enforcement Board will hear the evidence presented and determine whether one or more violations has occurred.

If you are found by the Code Enforcement Board to have committed the violation(s) cited, you will be assessed monetary penalties pursuant to RMC 10.02.050(E) and ordered to abate the violation(s). Penalties range from a minimum of $50 to a maximum of $500 per day per violation, up to a maximum penalty of $5,000 for all violations. You may also be ordered to pay the costs of abatement if the City is forced to correct the violation(s). The third violation of the same regulation at the same location within two (2) years is a criminal offense. *See* Chapter 10.02 RMC for more details.

To avoid receiving a Notice of Civil Violation, please take the corrective action identified in this Correction Notice by the date specified. If you have questions or need more information, please contact the Code Enforcement Officer listed below.

Issued on January 10, 2020 by the Code Enforcement Officer signing below.

Signature: _____
Printed Name: Jamie Williams, Code Enforcement
Phone: (509) 942-7577

Attachment – Process Letter

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Richland Police Department - Nuisance Code Enforcement
871 George Washington Way, Richland, WA 99352 509-942-7739

Process Letter

To Whom it May Concern:

The City has become aware of possible violation(s) of the Richland Municipal Code occurring on property owned or controlled by you. We hope to work with you to correct the violation(s), and we will take reasonable steps to allow for voluntary compliance. Formal action will be taken only if the violation(s) are not corrected as identified in the Correction Notice.

With the exception of barking dog complaints, which are handled in Benton County District Court, the following process is followed for civil code violations in the City of Richland:

1. Initial Inspection: An initial on-site inspection is performed by the City when a complaint is received or when a violation is observed by Code Enforcement. No further action is taken by the City if there is no evidence from the on-site inspection indicating a violation has occurred.

2. Correction Notice Issued: The City will issue a Correction Notice if the initial on-site inspection revealed evidence that a violation has occurred. The notice will describe the violation(s) and the specific corrective action required to achieve compliance. The City will make available a community resources guide listing community organizations that may be available to assist.

3. Follow-Up Inspection: On the date following the deadline for compliance provided in the Correction Notice, the City will perform a follow-up on-site inspection to determine whether voluntary compliance has been met.

    a. If the follow-up inspection reveals that voluntary compliance has been met, the case will be closed and no further action will be required.

    b. If the follow-up inspection reveals that voluntary compliance has not been met, the City will issue a Notice of Civil Violation for the violation(s) and schedule a hearing before the Code Enforcement Board.

4. Notice of Civil Violation Issued: A Notice of Civil Violation is issued when voluntary compliance is not met by the deadline provided in the Correction Notice. The Notice of Civil Violation contains a hearing date before the Richland Code Enforcement Board, who will hear the evidence and determine whether to affirm or disaffirm the City's Notice of Civil Violation. If you receive a Notice of Civil Violation, you are required to appear before the Code Enforcement Board. Failure to appear will result in entry of a default order affirming the violation(s).

    a. A minimum penalty of $50.000 shall be assessed for each Notice of Civil Violation that is affirmed by the Code Enforcement Board, regardless of whether compliance has been met. The maximum penalty the Code Enforcement Board may impose is $500 per day per violation up to $5,000 for all violations.

    b. Note: In lieu of advancing your case to the Code Enforcement Board, you may be eligible to enter into a Voluntary Correction Agreement with the City. A Voluntary Correction Agreement is a binding contract between you and City whereby you agree

to correct the violation(s) within a specified timeframe (usually an extended timeframe) in exchange for granting consent to the City to abate the violation(s) and agreeing to a specific monetary penalty if you fail to correct the violation(s) yourself. Voluntary Correction Agreements will not be used for violations involving dangerous or hazardous conditions, or for repeat violations. Contact the Code Enforcement Officer responsible for your case to learn more about Voluntary Correction Agreements.

5. Code Enforcement Board Hearing: If your case advances to a hearing before the Richland Code Enforcement Board, you will be afforded an opportunity to present evidence and cross-examine the City's witnesses. At the conclusion of the hearing, the Board will determine whether the City has proven, by a preponderance of the evidence, that one or more violations of the Richland Municipal Code has occurred.

    a. If the Board finds that one or more violations exist, monetary penalties will be imposed and corrective action will be ordered.

    b. If the Board finds that insufficient evidence exists to affirm the violation(s), the case will be dismissed with no further action by you.

6. Assessment of Penalties. If the Board affirms the violation(s) and imposes monetary penalties, or if the terms of the Voluntary Correction Agreement are not met, the City will issue an invoice for payment. Failure to pay the penalties assessed may cause the City to pursue a number of collection actions, including but not limited to recording property liens, assigning the debt to a collection agency, or other legal action. Reimbursement for administrative costs may also be sought.

The City's objective is to work with you to achieve voluntary compliance. If you have questions about the code enforcement process, or if you need additional information, please contact the Code Enforcement Officer identified on your Correction Notice.